

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Environmental Services

AGENDA DATE: March 15, 2011

CONTACT PERSON NAME AND PHONE NUMBER: William V. Stern, Deputy Building Official
(915) 599-3742

DISTRICT(S) AFFECTED: 8

SUBJECT:

Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso City Code:

905 Hills Street	\$30,988.53	District 8
El Paso County, Texas, Jose Rosales, Ana Maria Rosales and Josefina Rosales		

BACKGROUND / DISCUSSION:

The Building and Standards Commission ordered on August 25, 2010 that the structure at **905 Hills Street** be demolished and clean of all weeds, trash and debris within 30 days. The cost incurred for this property at **905 Hills Street** includes \$29,933.19 performed by the Street Department and \$1,055.34 performed by the City Clerks Office and Development Services Department for a total cost of \$30,988.53.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Building Standards Commission – Public Hearing – August 25, 2010

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

RESOLUTION

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 25th day of August, 2010, after due notice and hearing, issued an order to EL PASO COUNTY, TEXAS, JOSE ROSALES, ANA MARIA ROSALES AND JOSEFINA ROSALES, record Owners of the hereinafter described property that the structure be demolished within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to demolish and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of the demolishing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 8, Block 36, Magoffin's Addition, an addition in the city of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 14, Page 19, Plat Records in the Office of the County Clerk of El Paso County, Texas, more particularly described as 905 Hills Street, El Paso, Texas,

to be \$29,933.19, performed by the Street Department of the City of El Paso, and \$1,055.34, performed by the City Clerk's Office and Development Services Department, making a total of \$30,988.53. The City Council finds that the work was completed on the 30th day of October, 2010, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of THIRTY THOUSAND NINE HUNDRED EIGHTY-EIGHT AND 53/100 DOLLARS (\$30,988.53) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

ADOPTED this _____ day of _____, 2011.

CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:

Ellen A. Smyth, P.E., Director
Environmental Services Department

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2011 by _____, as _____ of the _____ City of El Paso.

Notary Public, State of Texas
Notary's Printed or Typed Name:

(Seal)
PREPARED IN THE OFFICE OF:
City Attorney's Office
#2 Civic Center Plaza
El Paso, Texas 79901-1196